

Applicants : Costa et al.
USSN : 10/557,586
Filed : March 3, 2006
Examiner : Phuong Huynh
Page : 2

Atty. Dkt. No. : 1136-PCT-US
Art Unit : 1644
Date of office action: March 20, 2008
Date of response : April 17, 2008

Election/Restriction Requirement

The Examiner to whom this application is assigned indicated in the March 20, 2008, Office Action that the application contains the following groups of inventions which are not so linked as to form a single general inventive concept under PCT Rule 13.1. In accordance with 37 CFR 1.499, Applicants are required, in response to this action, to elect a single invention to which the claims must be restricted.

Invention 1: Claims 1-7 and 11-13, drawn to a multimer protein molecule comprising at least a first amino acid sequence having substantially the sequence of one of the *Parietaria judaica* major allergens Par j 1 or Par j 2 and a second amino acid sequence having substantially the sequence of one of the *Parietaria judaica* major allergens Par j 1 or Par j 2 and a pharmaceutical comprising said multimer protein.

Invention 2: Claims 8-10, drawn to nucleic acid encoding a specific multimer protein comprising at least a first amino acid sequence having substantially the sequence of one of the *Parietaria judaica* major allergens Par j 1 or Par j 2 and a second amino acid sequence having substantially the sequence of one of the *Parietaria judaica* major allergens Par j 1 and Par j 2, and recombinant vector.

In response, Applicants respectfully traverse the above restriction.

Applicants : Costa et al.
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Page : 3

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According to 37 CFR 1.475,

"Where a group of inventions is claimed in an application, the requirement of unity of invention shall be fulfilled only when there is a technical relationship among those inventions involving one or more of the same or corresponding special technical features...those technical features that define a contribution which each of the claimed inventions, considered as a whole, makes over the prior art."

Applicants submit that claims 1-13, Inventions 1 and 2, do not require restriction as they are connected by a single technical relationship, which is a multimer protein comprising at least a first amino acid sequence having substantially the sequence of one of the *Parietaria judaica* major allergens Par j 1 or Par j 2 and a second amino acid sequence having substantially the sequence of one of the *Parietaria judaica* major allergens Par j 1 or Par j 2.

Election of Invention

In the event that the above discussion does not convince the Examiner to withdraw the restriction requirement, Applicants hereby elect, with traverse, Invention 1, Claims 1-7 and 11-13, drawn to a multimer protein molecule comprising at least a first amino acid sequence having substantially the sequence of one of the *Parietaria judaica* major allergens Par j 1 or Par j 2 and a second amino acid sequence having substantially the sequence of one of the *Parietaria judaica* major allergens Par j 1 or Par j 2 and a pharmaceutical comprising said multimer protein.

Applicants : Costa et al.
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Page : 4

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If a telephone interview would be of assistance in advancing the prosecution of the subject application, Applicants' undersigned attorney invites the Examiner to telephone him at the number provided below. No fee is deemed necessary in connection with the filing of this Response. However, if any additional fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 50-1891.

Respectfully submitted,

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